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affairs, and they can act as assessors at the deliberations of the councillors. The chief cannot disregard their opinion, otherwise internal dissensions and even tribal disruption may ensue.[1] They serve to give more emphasis to the popular voice in determining public policy.

The council is the tribal executive. It makes wars and treaties, rules and regulations for the public conduct, and deals with the internal and economic affairs of the tribe, as well as with inter-tribal relations. In its proceedings the vote of the chief is generally of no greater weight or value than that of any one of the elected councillors, although his expressed opinion bears great influence and probably ensures a majority for him in most cases, while if he is a man of strong character he may even succeed in dominating the others. The council is also the main court of justice. Civil litigants and criminals, who are usually dealt with by the magistrate or the sub-chiefs acting as the chief's deputies, can resort to it as a final court of appeal. Cases of serious import or serious charges involving possibly a sentence of capital punishment are generally dealt with by it as a court of first instance. In such cases an appeal lies to the chief in person, who has the right to exercise his prerogative of mercy. No capital punishment can legally be executed before he has expressly given his sanction.

In large tribes each outlying village or kraal is governed by a sub-chief ("onderkapitein"), appointed as deputy of the tribal chief by the chief-in-council. Often enough this sub-chief is one of the chief's closer relatives in the male line. He has his own local councillors, court, and officials, and can deal with all matters arising within his jurisdiction. There is always an appeal from his court to the main tribal council although as a rule the chief never deals with such an appeal without first referring the matter back to him for report.

Apart from the fact that the chief is generally the wealthiest man in the tribe, he is not distinguished in any special way from his subjects. At most his hut is somewhat bigger, and at communal meals he receives the best portion of meat, viz. the hind quarters.[2] Shaw, writing in 1821,[3] says also that the chief claims a part of every animal taken in hunting; moreover, on the death of his wife, every adult man has to give him a cow, which, however, is returned after a certain

[1] Cf. the illustrations given of this by von François, op. cit., 97, 218.
[2] Hahn, "Die Nama-Hottentotten," 107.
[3] *Report of the Wesleyan-Methodist Missionary Society*, 1821, pp. lxvi–lxvii; cf. *idem*, *Memorials of S. Africa*, 42.

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643 554 651 number of years. He also keeps a large quantity of milk at the door of his hut, which he distributes to the poor and the needy. None of these statements has been confirmed by later writers, with the exception of the tribute of game, which, as we have seen, is also mentioned by Wandres. Kohler's informant, on the other hand, explicitly denies that such a tribute is paid, and this would seem to be confirmed, at least as far as more recent times are concerned, by the statements of several other writers that the chief receives no tribute from his subjects. Nor does he levy any taxes, although in case of war or other extensive undertakings collections may be held or requisitions made, to which every tribesman has to contribute according [681] to his means. The fines levied in criminal cases, however, often go to the chief, or are shared between him and the judges. He can also accept a share of the damages awarded in a civil dispute, but there is no obligation on the successful litigant to pay this. It is regarded merely as a voluntary gift for the trouble taken, and the same is probably true in those cases, mentioned by Wandres, where the chief regulates inheritances. In co-operation with his council the chief can also impose orders upon his people, which as a rule are implicitly obeyed. He can, e.g., cause certain grazing grounds to be vacated, in order that they may be rested. He has also the right to use the labour of the people for public purposes, such as mending roads, building schools, or churches, opening up water and furrows, and so on. All adult males further are liable to be called out for military duty at any time.

643 554 It may be added that, according to Hahn, a Hottentot chief is expected "to have an open house and an open hand" and the worst that can be said of a chief is that he is *gei-//are*, i.e. "greatly left-handed or stingy." "It happens sometimes," Hahn even says, "that another man is made chief, who is expected to be more liberal."[1] There is no instance on record, as far as can be ascertained, of such a deposal having taken place, and the statement seems contradictory to the genuine respect attached by the people to the hereditary rights of the chief. "Our chiefs are not made," they say, "they are given by God." And Eduard Lambert, when on the death of his brother Andries the German authorities wished him to act as chief of the Gei //Khauan, the rightful heir being several hundred miles away, is said to have at first declined the proposal, with the words: "One

[1] *Tsuni-//Goam*, 17; cf. Wandres, "Die Khoi-Khoin," 322.

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another. But in 1836 the //Haboben were still part of the people owing obedience to the !Gami /Nun chief, while as late as 1855 the chief of the Gei //Khauan expected the //Khau /Goan to obey his orders concerning migrations, etc., although they did not always do so.[1] The Gei //Khauan are acknowledged by all the others to be the senior tribe among them in line of descent. This acknowledgment, according to Hahn, formerly took the form of a tribute sent annually to the chief of this tribe by all the other Nama chiefs. In 1856 even the Korana chief Pofadder came to do homage to the Gei //Khauan chief Oasib, acknowledging that his tribe, the "Springboks", were a branch of the Gei //Khauan. The last tribute of this kind, which consisted generally in a heifer, *buchu*, spears, copper or iron beads, and milk pails, was paid in 1863.[2]

The official records of the Cape and the accounts of the early Dutch travellers show that among the Cape Hottentots the same tendency existed for groups to branch off and arrogate to themselves the title of separate tribes. Many of the tribes, at the time when they first came into contact with the Dutch, consisted of several distinct divisions, more or less loosely connected together, though all tending to become independent in course of time. Of the local groups found by the Dutch in the immediate vicinity of Table Bay, all, whether Goringhaiqua or Korachouqua, were originally members of one tribe, of which Gogosoa was regarded as the principal chief. This whole tribe, again, seems at one time to have been dependent on the Kochoqua, from whom it subsequently broke away, as was also the case with the Chariguriqua. The Kochoqua themselves in 1652 were found divided into two distinct branches, the senior under a chief named Oedasoa, who considered himself paramount, and the other under Gonnema.[3]

In the same way, the Afrikaners (*//Aixa //Ain*), an Orlam tribe, are said to be an old branch of the present !Aman or Bethanie Hottentots (Amaqua or Chamaqua of the Cape Records), who formerly lived between the Berg and Olifants River in Cape Colony. The !Aman again are a branch of the *//Khauan* (Chauqua of the Cape Records), who lived originally in what is now the district of Worcester in the Cape. The Amraal Hottentots (*Gei //Khauan*) and the Berseba

[1] Hoernlé, "Social Organization of the Nama," 5, quoting Alexander, op. cit., i, 187, 197, and *Berichte der Rheinischen Mission*, 1858, 18.
[2] *Tsuni-//Goam*, 97.
[3] Sparrman, *Voyage*, ii, 241–3; cf. Godée-Molsbergen, *Reizen in de Kaap*, i, *passim*; Theal, *History of S. Africa before 1795*, ii, *passim*.